

CHAPTER 18.24

Final Plat

18.24.010 Submittal restrictions.

Copies of all required material shall be submitted to the Planning Department by the subdivider, or his or her authorized representative a minimum of one (1) week prior to the Planning Commission meeting. No final plat shall be approved by the Planning Commission until the subdivider has complied with the requirements and submitted the supporting documents, as provided herein. Final plats shall be submitted for approval within twelve (12) months of the date a preliminary plan has been approved by the Planning Commission. No final plat submission shall be accepted which has exceeded this time lapse period unless an extension of time has been granted. An extension of time may be granted by the Planning Commission upon written request of the subdivider. Any plat submitted for which preliminary plan approval has been given in excess of twelve (12) months previous and for which no time extension has been granted shall be considered as a new preliminary plan. The final plat shall conform to the approved preliminary plan, and shall also contain the requirements of this Chapter. (Ord. 673-87, 1987)

18.24.020 Documents and information required.

A. The final plat submission shall conform in all major respects to the preliminary plan as previously reviewed and approved by the Planning Commission, and shall incorporate all modifications required in its review. The Planning Commission, however, may approve a final plat which has been modified to reflect improvements in design or changes which have occurred in its natural surroundings and environment since the time of the preliminary plan review and approval.

B. A final plat may be submitted in sections covering representative and reasonable portions, as defined by the Planning Commission, of the subdivision tract. In such cases, submission shall include a map indicating the sections designated for the entire tract, and each sheet numbered accordingly, and include title, legend, match lines and other appropriate information.

C. The following shall be included:

1. All required supporting documents required in Sections 18.24.060 through 18.24.200 of this Chapter;

2. Ten (10) black-on-white or blue-on-white prints of the final plat;

3. The original reproducible drawing of the final plat, prepared in accordance with the requirements of this Title;

4. Final plat submittals shall be accompanied at the time of filing by a fee as established by City Council by resolution.

5. Where access will be limited from certain lots to major roadways, a statement on the plat listing the lot and block numbers, and which roadway accesses will not be granted.

D. No subdivision shall be approved until such data, surveys, analyses, studies, plans and designs have been submitted and reviewed by designated City staff and the Planning Commission, and found to

meet all sound planning and engineering requirements of the City and the conditions contained in these subdivision regulations, and all other required for final plat review are as follows:

1. Street construction plans and profiles (see City of Evans Construction Standards);
2. Final drainage plans and reports (see City of Evans Construction Standards);
3. Final utility plans and profiles (see City of Evans Construction Standards).

E. A receipt shall be issued to the subdivider, or his or her authorized representative, for the final plat submission when it has been determined that the submission includes all the requirements set forth in these regulations. (Ord. 1119-98, 1998; Ord. 673-87, 1987)

18.24.030 Drawing requirements.

The final plat drawing shall comply with the following standards:

A. The plat shall be prepared and certification made as to its accuracy by a registered land surveyor licensed to do such work according to the State. A workmanlike execution of the plat shall be made in every detail. A poorly drawn or illegible plat is sufficient cause for its rejection.

B. The plat shall be delineated in drawing ink on waterproof tracing cloth or Mylar at a scale of one (1) inch equals one hundred (100) feet (1" = 100') in the following size: Twenty-four (24) inches high by thirty-six (36) inches wide.

C. The bearings, distances and curve data of all perimeter boundary lines shall be indicated outside the boundary line, not inside, with the lot dimensions. When the plat is bounded by an irregular shoreline or a body of water, the bearings and distances of a closing meander traverse should be given, and a notation made that the plat includes all land of the water's edge or otherwise.

D. If a plat is revised, a copy of the old plat shall be provided for comparison purposes.

E. All blocks, and all lots within each block, shall be consecutively numbered.

F. On curved boundaries and all curves on the plat, sufficient data shall be given to enable the reestablishment of the curves on the ground. This curve data shall include the following for the circular curves:

1. Radius of curve;
2. Central angle;
3. Tangent;
4. Arc length;
5. Notation of nontangent curves.

G. Excepted parcels shall be marked "Not included in this subdivision," and the boundary completely indicated by bearings and distances.

H. All streets, walkways and alleys shall be designated as such, and streets shall be named; bearings and dimensions must be given.

I. All easements shall be designated as such and bearings and dimensions given.

J. All lands within the boundaries of the plat shall be accounted for either as lots, walkways, streets, alleys, public areas (such as school sites, parks or common areas) or excepted parcels.

K. All dimensions of irregularly shaped lots shall be indicated in each lot.

L. Bearings and lengths shall be given for all lot lines; except that bearings and lengths need not be given for interior lot lines where the bearings and lengths are the same as those of both end lot lines.

M. Parcels not contiguous shall not be included in one (1) plat, nor shall more than one (1) plat be made on the same sheet. Contiguous parcels owned by different parties may be embraced in one (1) plat, provided that all owners join in the dedication and acknowledgment.

N. Lengths shall be shown to hundredths of a foot, and angles and bearings shall be shown to second of arc.

O. The information on the plat shall include:

1. Name of subdivision, astronomic north arrow and basis thereof, and date;

2. Name and address of owner or owners of record;

3. Total acreage of the subdivision and total number of lots;

4. Township, range, section (and quarter section if portion of a section), principal meridian, block and lot numbers.

5. The area of each lot shall be shown in square feet. (Ord. 673-87, 1987)

18.24.040 Monuments and bench marks.

A. Permanent reference monuments shall be set on the external boundary of the subdivision.

B. Block and lot monuments shall be set.

C. At least one (1) second-order bench mark (Geodetic Survey Datum) shall be set, where practical to tie in, within every subdivision or subsequent filing prior to submission of the final plat for approval. (Ord. 673-87, 1987)

18.24.050 Survey certification.

The surveyor making a plat shall certify on the plat that it conforms to these regulations and to all applicable state laws, and that the monuments described in it have been placed as described. He or she shall affix his or her name and seal. (Ord. 673-87, 1987)

18.24.060 Supporting documents designated.

Submitted with the final plat drawing and considered a part of the final plat submission shall be the following documents, as set out in Sections 18.24.070 through 18.24.200 of this Chapter. (Ord. 673-87, 1987)

18.24.070 Drawings for utilities, grading, erosion control and other work.

A. Drawings showing layout, profile, computations and detail design of the following prepared in compliance with the design standards specified in Chapter 18.32 of this Title, shall be submitted:

1. All utilities and necessary easements, such as water, sewer, gas, electric, telephone, etc., as applicable.
2. Plan, profile and typical cross-section drawings of streets, bridges, culverts and other drainage structures.
3. Grading and drainage plan, indicated by solid-line contours superimposed on dashed-line contours of existing topography for the area of the final plat. Such contours shall be at two-foot intervals for predominant ground slopes within the tract between level and five-percent (5%) grade, and five-foot contours for predominant ground slopes within the tract over five percent (5%) grade.
4. Erosion control plan, both during construction and after structures have been built, to be submitted as a result of preliminary plan review. The erosion control plan may be incorporated into the landscape plan or drainage plan.
5. Two (2) sets each of the pavement design computations, and drainage design computations.

B. These drawings and computations shall be prepared by either a registered professional engineer or registered land surveyor, as required by the laws of the State, and shall be in conformance with the engineering criteria as provided by the City in this Title and other applicable ordinances. (Ord. 673-87, 1987)

18.24.080 Certificate of title.

A copy of a certificate of title issued by a title insurance company, or an attorney's opinion of the title, shall be submitted which shall set forth the names of all owners of property included in the final plat, and shall include a list of all mortgages, judgments, liens, easements, contracts and agreements of record which affect the property covered by such plats. If the opinion of title discloses any of the above, then, at the option of the Planning Commission the holders or owners of such mortgages, judgments, liens, easements, contracts or agreements shall be required to join in and approve the application before the plat shall be acted upon by the Council. (Ord. 673-87, 1987)

18.24.090 Dedications – existing easements.

Where a portion of an existing easement is contiguous to a proposed easement or right-of-way of a new subdivision, proof of the dedication of the existing easement or right-of-way acceptable to the Planning Commission must be submitted. (Ord. 673-87, 1987)

18.24.100 State highway permit.

When a new street will intersect with a state highway, a copy of the state highway permit shall be submitted. (Ord. 673-87, 1987)

18.24.110 Utility service statements.

Statements from gas, electric, telephone and other necessary utilities that service will be provided to the subdivision. (Ord. 673-87, 1987)

18.24.120 Irrigation ditch company agreements.

Wherever applicable, a copy of agreements signed by agricultural irrigation ditch companies specifying the agreed upon treatment of the ditch, including fencing as provided in Section 18.32.190 of this Title shall be submitted. (Ord. 673-87, 1987)

18.24.130 Summary statement on total development.

A summary statement of the proposal with the following information shall be submitted:

- A. Total development area;
- B. Total number of proposed dwelling units;
- C. Total number of square feet of nonresidential floor space;
- D. Total number of off-street parking spaces, excluding those associated with single-family residential development;
- E. Estimated total number of gallons per day of water system requirements, and other relative characteristics of water usage such as irrigated land area, daily and weekly peak flows, etc.;
- F. Estimated total number of gallons per day and estimated pounds per day of BOD content of sewage to be treated. Peak flows or unusual characteristics such as industrial waste requiring pretreatment shall be reported when applicable. (Ord. 673-87, 1987)

18.24.140 Deed restrictions.

Copies of deed restrictions to govern the future use of each lot and any common land, shall be submitted. (Ord. 673-87, 1987)

18.24.150 Record of monuments.

A monument record for required bench marks, and closure sheets for the entire tract included in the plat and for each block in the tract shall be submitted. (Ord. 673-87, 1987)

18.24.160 Certification forms.

The final plat shall contain the following certificates:

- A. Certificate of Dedication and Ownership:

Know all men by these presents that _____, being the owner(s), mortgage or lienholder of certain land in _____, Colorado, described as follows:

Beginning _____ Containing _____ acres more or less: have by these presents laid out, platted and subdivided the same into lots and blocks, as shown on this plat, under the name and style of, and do hereby dedicate to the public all ways and other public rights-of-way and easements for purposes shown hereon.

Executed this _____ day of _____, A.D. _____.

Owner(s), Mortgages or Lienholder

The foregoing dedication was acknowledged before me this _____ day of _____, A.D., _____.

My commission expires _____.

Notary Public

Witness My Hand and Seal

B. Surveying Certificate:

I, _____, a Registered Professional Land Surveyor in the State of Colorado, do hereby certify that the survey represented by this plat was made under my supervision and the monuments shown herein actually exist and this plat accurately represents said survey.

By: _____

Registered Land Surveyor

C. Planning Commission Certificate:

This plat approved by the _____ Planning Commission this _____ day of _____, A.D. _____.

Chairman

D. Certificate of Approval by the City Council:

Approved by the City Council of _____, Colorado, this _____ day of _____, A.D. _____.

Mayor

Attest: _____

City Clerk

E. Recorder's Certificate:

This plat was filed for record in the office of the County Clerk and Recorder of Weld County at

_____M. on the _____ day of _____, A.D. _____ in Book _____,
Page _____, Map _____, Reception _____.

County Clerk and Recorder

By: _____

Deputy

(Ord. 673-87, 1987)

18.24.170 Review procedures – date.

When a final plat has been received, it shall be acted upon by the Planning Commission at a regularly scheduled meeting within thirty (30) days or another mutually agreed upon period of time. (Ord. 673-87, 1987)

18.24.180 Review procedures – Planning Commission determination – notice.

A. The Planning Commission shall review the final plat at a regularly scheduled public meeting. The Planning Commission may require or recommend changes or modifications to the final plat in the public interest. If the final plat, and all supplementary data and any requested changes and modifications, comply with the applicable requirements of these regulations, the Planning Commission shall endorse on the plat in the space provided.

B. Within thirty (30) days after review of the final plat, at a public meeting, the Planning Commission shall send written notification of its review to the Council. Required and recommended modifications to the final plat, if any, shall be noted on three (3) prints of the plat: One (1) copy to be transmitted to the Council, one (1) copy to be retained in the Planning Commission files, and one (1) copy to be transmitted to the subdivider.

C. The only basis for rejection of a final plat shall be its nonconformance to adopted rules, regulations and ordinances currently in force and affecting the land and its development in the City, its lack of conformance with the approved preliminary plan, and changes required in the public interest. (Ord. 673-87, 1987)

18.24.190 Hearing by Council following Planning Commission review.

The Council shall hold a hearing on the final plat within thirty (30) days of receipt of transmittal from the Planning Commission at a regularly scheduled public meeting. The Council shall also consider the modifications recommended by the Planning Commission. If the Council determines that the final plat submission and the recommended modifications comply with the applicable requirements of these regulations, they shall endorse on the plat in the space provided. (Ord. 673-87, 1987)

18.24.200 Recordation requirements.

A. The City Clerk shall record the final plat with the County Clerk and Recorder within five (5) working days of approval of the final plat by the Council.

B. The City Clerk shall furnish the subdivider with a receipt for the final plat upon filing of the final plat. (Ord. 673-87, 1987)

18.24.210 Certified plat – copies for referral.

The City Clerk shall provide an adequate number of copies of the certified plat, together with the official notification of the action, to be distributed as follows:

- A. One (1) copy to Planning Commission files;
- B. One (1) copy to Council files;
- C. One (1) copy to subdivider. (Ord. 673-87, 1987)

18.24.220 Repealed by Ordinance 277-04.

18.24.230 Repealed by Ordinance 277-04 – refer to Section 18.26.020.

18.24.240 Repealed by Ordinance 277-04 – refer to Section 18.26.010.

18.24.250 Homeowner's Association required to maintain improvements.

A. Should a Homeowner's Association be created by a property owner or developer with the responsibility of maintaining certain improvements, then in that event, such responsibility for maintaining improvements by the Homeowner's Association shall be mandatory under this Code. In the event that the Homeowner's Association fails to properly maintain such public improvements, including but not limited to landscaped streets, sidewalks, fences, irrigation systems, walkways, bike trails and open space, then in that event, after serving the Homeowner's Association with a demand letter for compliance at least ten (10) days prior to taking action, the City Council may then provide the appropriate maintenance to such improvement, and charge back the Homeowner's Association for its costs, including a five percent (5%) fee for inspection and other administrative costs.

B. The City Clerk, after the work has been performed by the City, shall forward a statement to the Homeowner's Association, to include all costs of the City, including the five percent (5%) fee, with a demand that such statement be paid within thirty (30) days of mailing by first class mail, postage prepaid.

C. Failure to pay such assessment within such period of thirty (30) days shall cause such assessment to become a lien against the property of the particular subdivision, with the defaulting Homeowner's Association, and shall have priority over all other liens except general property taxes and prior assessments, and the same may be certified at any time after such failure to pay the statement within said thirty (30) days by the City Clerk to the County Treasurer to be placed upon the tax list for the current year, to be collected in the same manner as other taxes are collected, with a ten percent (10%) penalty to defray the cost of collection. (Ord. 044-00, 2000)